

KENTUCKY BOARD OF DENTISTRY

LAW ENFORCEMENT COMMITTEE MEETING

August 8, 2007

CALL TO ORDER: The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Babcock to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Allen seconded the motion. All were in favor. A motion was made by Dr. Babcock to come out of closed session. Dr. Dew seconded the motion. All were in favor. A motion to adjourn was made by Dr. Dew. Dr. Babcock seconded the motion. The committee meeting adjourned at 5:00 p.m.

LAW ENFORCEMENT COMMITTEE MEETING

September 7, 2007

CALL TO ORDER: The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Allen to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Babcock seconded the motion. All were in favor. A motion was made by Dr. Dew to come out of closed session. Dr. Babcock seconded the motion. All were in favor. A motion to adjourn was made by Dr. Babcock. Dr. Dew seconded the motion. The committee meeting adjourned at 5:30 p.m.

BOARD MEETING

September 8, 2007

CALL TO ORDER: President David Narramore, D.M.D. called the meeting to order at 9:00 a.m.

Roll Call: Present Board members were David Narramore, D.M.D.; William Dew, D.M.D.; Chris Babcock, D.M.D., M.D.; Dianne Embry, R.D.H.; Jim Allen, D.M.D.; and Laura Justice D.M.D. Staff present were Eric T. Clark, Executive Director; Lisa Turner, Executive Staff Advisor; Sylvester Gurnell, Executive Secretary; and Mark Brengelman, Board Attorney.

Visitors

Brian Fingerson R.Ph.; Carla Gantz, President of Kentucky Dental Hygienist's Association; and Glen Damron.

Approval of Minutes

Dr. Babcock motioned that the Minutes of the July 13, 2007 Board Meeting be accepted. Dr. Allen seconded the motion. All were in favor.

COMMITTEE REPORTS

Well-Being Committee

Brian Fingerson presented the Well-Being Committee Report to the Board.

Credentials Committee

Dianne Embry motioned that a dental hygiene license by credentials be issued to Diane Frost, R.D.H., contingent upon receipt of her practice plans. Dr. Babcock seconded the motion. All were in favor.

Dianne Embry motioned that a dental license by credentials be issued to David Vieth, D.M.D. Dr. Babcock seconded the motion. Three members voted for, two abstained from voting, and the motion carried by majority.

Dianne Embry motioned that a dental license by credentials be issued to Michael Silverman, D.M.D., contingent upon receipt of missing documentation. Dr. Babcock seconded the motion. All were in favor.

Law Enforcement Committee

Dr. Allen motioned that the closed case report be accepted. Dr. Justice seconded the motion. All were in favor.

07-75 Dr. Justice moved that a letter be written to licensee providing direction on advertising and that no disciplinary action be taken at this time. Dianne Embry seconded the motion. All were in favor.

07-76 Dr. Babcock moved to file a Notice of Administrative Hearing and Order. Dr. Justice seconded the motion. All were in favor.

07-132 Dr. Babcock moved to file a Notice of Administrative Hearing and Order. Dr. Justice seconded the motion. All were in favor.

07-94 Dr. Babcock moved to file a lawsuit to cease and desist the unauthorized practice of dentistry. Dr. Justice seconded the motion. All were in favor.

Dr. Babcock recused himself and left the room during the discussion and vote for the following case numbers only:
07-67 and 07-107 Dr. Justice moved to file a Notice of Administrative Hearing and Order. Dianne Embry seconded the motion. All were in favor.

06-119 Dr. Allen motioned to accept the Settlement Agreement. Ms. Embry seconded the motion. All were in favor.

07-42 Dr. Allen motioned to accept the Settlement Agreement. Ms. Embry seconded the motion. All were in favor.

07-500 – continuing dental hygiene education audit actions. Dr. Allen motioned to accept the Settlement Agreements. Ms. Embry seconded the motion. All were in favor.

Drs. Allen, Babcock, and Dew recused from voting on matters relating to the Law Enforcement Committee.

Director's Report

Dr. Allen moved to change Board meeting from January 12, 2008, to January 19, 2008. Dr. Babcock seconded the motion. All were in favor.

Dr. Allen moved to change Law Enforcement meeting from January 11, 2008, to January 18, 2008. Dr. Babcock seconded the motion. All were in favor.

Dr. Allen moved to adopt the 2008 Board Meeting schedule: January 19, 2008; March 8, 2008; May 10, 2008; July 12, 2008; September 13, 2008; and November 8, 2008. Dr. Babcock seconded the motion. All were in favor.

Mr. Clark reviewed the agency budget for the second month of the first quarter of fiscal year 2008. Mr. Clark also informed the Board of the status of moving the Board office to another location.

Mr. Clark reported that there have not been any Board appointments for Zones 2 and 6 and the consumer member position remains vacant.

Mr. Clark reminded the Board about the 2007 AADE Annual Session Meeting in San Francisco to be held September 26th and 27th and the 2008 Southern Conference of Dental Deans and Examiners in Hoover, Alabama on January 11 – 23, 2008.

Newsletter Committee

Dr. Babcock motioned to accept the newsletter draft and Dr. Allen seconded the motion. All were in favor.

Old Business

The correspondence from Steve Parker was tabled until the Board receives a response from the statutorily established Laboratory Commission.

New Business

Dr. Allen moved to approve 2006-2007 Kentucky Board of Dentistry Annual Report. Dr. Babcock seconded the motion. All were in favor.

Dr. Justice motioned for Paul S. Tiwana, D.D.S., M.D., M.S., to wait until May 10, 2009 to reapply by credentials or take a clinical exam. Dr. Allen seconded the motion. All were in favor.

Mr. Clark informed the Board of the correspondence from the Commission of Dental Accreditation relating to the termination of advanced education in general dentistry program sponsored by the University of Louisville School of Dentistry.

Dr. Justice moved that Juan Yepes, D.D.S., M.D., M.P.H., be granted a full dental license contingent upon CODA approval of the advanced training program and a letter of recommendation from that program. Dr. Allen seconded the motion. Dr. Dew abstained from voting. The motion carried by majority.

The Board discussed correspondence from American Dental Hygienist's Association drafts on *Standards for Clinical Dental hygiene Practice* and *Competencies for the Advanced Dental Hygiene Practitioner* and comments from guest Carla Gantz R.D.H., President of KDHA. Dianne Embry and Eric Clark agreed to draft a response letter to be sent to the ADHA.

Mr. Clark informed the Board of the correspondence from the U.S. Food and Drug Administration relating to electronic services.

Dr. Justice moved to grant a license to practice dental hygiene to Katherine Phelps, R.D.H. Dr. Babcock seconded the motion. All were in favor.

Lloyd E. Parmley, D.M.D. request for expungement of his dental record was denied because it did not meet the criteria of "minor violation" as provided in the Board's administrative regulation - 201 KAR 8:490.

Dr. Babcock moved to approve the externships of dental students working under the supervision and license of a Kentucky dentist as submitted and provided in correspondence from Henry Hood, D.M.D. Dr. Dew seconded the motion. All were in favor.

Dr. Babcock moved to approve the utilization of an electronic signature for general supervision dental hygiene work orders as submitted in the correspondence from Kavita Mathu-muju, D.M.D., M.P.H. Dr. Dew seconded the motion. All were in favor.

Dr. Allen moved that the removal of hair from the oral cavity and adjacent structures be considered within the scope of "practicing dentistry" as defined in KRS 313.010(2). Dr. Justice seconded the motion. All were in favor.

Dr. Justice moved to amend 201 KAR 8:460 by changing "certificate holder" to "dental hygienist" or "applicant." Dr. Babcock seconded. All were in favor.

There being no further business, Dr. justice motioned to adjourn at 1:40 p.m. Dianne embryo seconded the motion. All were in favor.

APPROVED:

David Narramore, D.M.D.
President

Bill Dew, D.M.D.
Vice President